

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
9 SOUTH CALIFORNIA ST., SUITE 200
VENTURA, CA 93001
(805) 585-1800

ATTACHMENT 1

RECEIVED



MAR 27 2007

MAYOR & COUNCIL
SANTA BARBARA

RECEIVED

MAR 30 2007

CITY OF SANTA BARBARA
COM DEV ADMIN

March 20, 2007

Marty Bloom, Mayor
City of Santa Barbara
Post Office Box 1990
Santa Barbara, CA 93102

RE: City of Santa Barbara Categorical Exclusion Order E-06-1

Dear Mayor Bloom:

On March 15, 2007, the Coastal Commission approved Categorical Exclusion Order E-06-1 subject to nine special conditions. The Commission's resolution of certification is contained in the staff report dated February 22, 2007. The nine special conditions, as approved by the Commission are attached on pages 3 - 5 of this correspondence.

According to Section 13244, the subject categorical exclusion approved by the Commission shall not be effective until the following occur:

- (a) The City of Santa Barbara, by action of its governing body, acknowledges receipt of the commission's resolution of approval, including any conditions which may have been required;
- (b) The City of Santa Barbara, by appropriate action of its governing body, accepts and agrees to the terms and conditions to which the categorical exclusion has been made subject; and
- (c) The Executive Director of the commission determines in writing that the City's resolution is legally adequate to carry out the exclusion order and that the notification procedures satisfy the requirements of the exclusion order.

Should you have any questions regarding this matter, please contact Melissa Hetrick in our Ventura office. The Commission and staff greatly appreciate the City's cooperation and assistance in this matter.

Authorized on behalf of the California Coastal Commission by:

PETER DOUGLAS
Executive Director

By:


Gary Timm
District Manager

Cc: Beatriz Ramirez, City of Santa Barbara
Jan Hubbell, City of Santa Barbara
Melissa Hetrick, CCC

APPROVED SPECIAL CONDITIONS:

On March 15, 2007, the Coastal Commission approved Categorical Exclusion Order E-06-1 for the City of Santa Barbara with the following special conditions. Language recommended by Commission staff to be deleted from the proposed categorical exclusion order is shown in **strikeout**. Language proposed by Commission staff to be inserted is shown **underlined**.

1. Distance from Environmentally Sensitive Habitat Areas and Archeological Resources

Section C2 of this Order of Categorical Exclusion shall be amended as follows:

2. Demolition and reconstruction of an existing single-family residence in the area designated as Non-appealable on the Post-LCP Certification Permit and Appeal Jurisdiction Map, City of Santa Barbara. Notwithstanding the exclusion specified in this paragraph, if an application for demolition and reconstruction of an existing single-family residence is submitted for a lot that either: (1) contains a City Landmark or Structure of Merit, ~~(2) contains or is within 100 feet of archeological or paleontological resources, or~~ (2) (3) contains or is within 100 feet of immediately adjacent to an environmentally sensitive habitat area, stream, wetland, marsh, or estuary, regardless of whether such resources are mapped or unmapped, then the application shall require a coastal development permit.

2. Local Agency Acceptance of Terms and Conditions

This Categorical Exclusion Order shall not be effective until the City submits, for the review and approval of the Executive Director, evidence that the City of Santa Barbara, by action of its governing body, has 1) acknowledged receipt of the commission's resolution of approval on the categorical exclusion order, including all conditions which were required for approval and 2) has accepted and agreed to all of the terms and conditions to which the categorical exclusion has been approved

3. Incorporation into the City of Santa Barbara LCP

The City shall submit, for the review and approval of the Commission, an amendment to the Implementation Plan of the City of Santa Barbara Local Coastal Plan that executes this Categorical Exclusion Order, as conditioned. This categorical exclusion order shall not be effective until final certification of the LCP amendment.

4. Determination by the Executive Director

The order granting a categorical exclusion for these categories of development in the City of Santa Barbara shall not become effective until the Executive Director of the Commission has certified, in writing, that the local government has taken the necessary action to carry out the exclusion order pursuant to Section 13244 of the Coastal Commission regulations.

5. Exclusion Limited to Coastal Permits

This exclusion shall apply to the permit requirements of the Coastal Act of 1976, pursuant to Public Resources Code 30610(e) and 30610.5(b), and shall not be construed to exempt any person from the permit requirements of any other federal, state, or local government agency.

6. Records

The City of Santa Barbara shall maintain a record of any other permits which may be required for categorically excluded development which shall be made available to the Commission or any other interested person upon request.

7. Notice

Within five (5) working days of the issuance of a permit or comparable approval in conformity with this Order of Categorical Exclusion, the City of Santa Barbara Shall provide notification of such issuance on a form containing the following information to the relevant Coastal Commission area office and to any persons who in writing requested such notice. Unless the City provides such notification to the District office, the Development will not be exempt from the Coastal Development Permit requirements under this order.

- i. Developers name;
- ii. Street address and assessor's parcel number of property on which development is proposed;
- iii. Brief description of development;
- iv. Date of application for other local permit(s);
- v. All terms and conditions of development imposed by local government in granting its approval; and
- vi. The site plan and the vicinity map of the project.

8. Conformity with LCP

Development under this exclusion shall conform with the City of Santa Barbara LCP in effect on the date of this exclusion as adopted by the Commission or to the terms and conditions of this exclusion where such terms and conditions specify more restrictive development criteria.

9. Amendment of LCP

In the event an amendment of the City of Santa Barbara LCP is certified by the Coastal Commission pursuant to Section 30514 of the Coastal Act, development under this order shall comply with the amended LCP except where the terms and conditions of this order specify a more restrictive criteria. However, such amendment shall not authorize the exclusion of any category of development not excluded herein, nor shall such amendment alter the geographic areas of the exclusion.